

Notice of Allowability	Application No.	Applicant(s)
	09/146,069	YOSHIDA, TAKEHIRO
	Examiner Joseph R. Pokrzywa	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment dated 9/9/05.
2. The allowed claim(s) is/are 12-16, 18-20 and 26-29 (renumbered as claims 1-5, 7, 9, 11, 6, 8, 10 and 12, respectively).
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

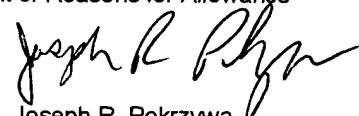
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



Joseph R. Pokrzywa
Primary Examiner
Art Unit: 2622

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 9/9/05, and has been entered and made of record. Currently, **claims 12-16, 18-20, and 26-29** are pending.

Claim Objections

2. The objection to **claims 15, 18-20, and 27-29**, as cited in the Office action dated 6/22/05, is withdrawn, as the changes set forth in the amendment overcome the informalities.

Allowable Subject Matter

3. **Claims 12-16, 18-20, and 26-29** are allowed (**renumbered as claims 1-5, 7, 9, 11, 6, 8, 10, and 12, respectively**).

4. The following is an examiner's statement of reasons for allowance:

Regarding **claims 12, 18, 19, and 20 (renumbered claims 1, 7, 9, and 11, respectively)**, after further review of the cited references, the examiner believes that it would not have been obvious to have the systems, as claimed, include the features of performing a notification operation, when the facsimile communication has been executed through the Internet, and not performing the notification operation when the number of pages of the facsimile information to be transmitted through the Internet is not more than a predetermined value. While the examiner previously cited the references of Ishibashi *et al.* (U.S. Patent Number 6,374,291) and Okutomi *et al.* (U.S. Patent Number 6,211,972), upon reconsideration, these references each fail to

particularly teach of not performing a notification operation when the number of pages of the facsimile information that is to be transmitted through the Internet is not more than a predetermined value. As discussed in the Office action dated 6/22/05, Ishibashi fails to particularly teach of not performing a notification operation when the number of pages to be transmitted is not more than a predetermined value. Further, while Okutomi does teach of not transmitting a facsimile message when the number of pages is greater than a certain amount, Okutomi fails to teach if the facsimile is a notification operation of the number of pages that are to be transmitted over the Internet. Because of these features, that the claims are now rendered allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622

jrp

A handwritten signature in black ink, appearing to read "Joseph R. Pokrzywa".